

AMENDED IN SENATE JANUARY 4, 2012

AMENDED IN SENATE MARCH 25, 2011

SENATE BILL

No. 875

Introduced by Senator Price

February 18, 2011

An act to ~~add Section 13800.1 to~~ amend Section 10100 of, and to repeal Section 10154 of, the Business and Professions Code, relating to ~~rental vehicles; real estate.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 875, as amended, Price. ~~Rental vehicles.~~ *Real estate licensees.*

Existing law, the Real Estate Law, provides for the licensure and regulation of real estate brokers and real estate salespersons by the Department of Real Estate. Existing law authorizes the department to deny, suspend, or revoke a license on various grounds using specified procedures generally applicable to state agencies. Under existing law, a hearing to determine whether to issue a license must be initiated by filing a statement of issues. Existing law provides additional procedures with respect to certain licensing boards, including, among other things, the authority to notify an applicant that the application is denied in lieu of filing a statement of issues, as specified.

This bill would require the Department of Real Estate to use those additional procedures when denying a license or a license endorsement and would also delete an obsolete provision.

~~Existing law authorizes a rental vehicle fuel gauge installed by a vehicle's manufacturer to be used in a rental transaction by a rental company to calculate an optional charge for fueling, under specified circumstances.~~

~~This bill would provide that the provision applies to passenger and nonpassenger vehicle rental transactions by a rental company made on or after January 1, 2000.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 10100 of the Business and Professions~~
2 ~~Code is amended to read:~~

3 ~~10100. (a) Before denying, suspending or revoking any license~~
4 ~~or license endorsement issuable or issued under the provisions of~~
5 ~~this part, the department shall proceed as prescribed by Chapter 5~~
6 ~~(commencing with Section 11500) of Part 1 of Division 3 of Title~~
7 ~~2 of the Government Code, and the department shall have all the~~
8 ~~powers granted therein.~~

9 ~~(b) Upon denial of an application for a license or license~~
10 ~~endorsement issuable under the provisions of this part, the~~
11 ~~department shall proceed under Sections 485 to 488, inclusive.~~

12 ~~SEC. 2. Section 10154 of the Business and Professions Code~~
13 ~~is repealed.~~

14 ~~10154. A person who has obtained a conditional license~~
15 ~~pursuant to Section 10153.4, but has not satisfied the requirements~~
16 ~~for an unqualified license under Section 10153.4, shall not be~~
17 ~~entitled to a late renewal of the license under Section 10201, and~~
18 ~~shall not be entitled to the issuance of another conditional license~~
19 ~~until four years after the date of the issuance of the preceding~~
20 ~~conditional license.~~

21 ~~SECTION 1. Section 13800.1 is added to the Business and~~
22 ~~Professions Code, to read:~~

23 ~~13800.1. Section 13800 shall apply to passenger and~~
24 ~~nonpassenger vehicle rental transactions by a rental company made~~
25 ~~on or after January 1, 2000.~~